

**Draft Agenda  
Hunters Point Shipyard  
Property Transfer Conference Call  
Regulatory Agencies, Navy, City and Fivepoint**

**Thursday, January 21, 2021  
9:30 am to 11 am**

*Conference Call Number sent on calendar invite*

**1) Introductions**

**Navy** – Derek, Paul, Heather, Beth?, and Steve Ross & Bart (new attorneys to the site)

**EPA** – Wayne, Yolanda, Brianna, John

**DTSC/CDPH** – Nina, Brooks

**City** – Amy, Cristina (contractor to OCII), Chris Tom (City attorney), Andrea (City attorney) and Kasheica

**FivePoint** – Jim (urban office/environmental) and Gordon

**2) Agenda Review**

**3) Dates for:** next conference call Feb 25, next Mar 25 at 9:30 am (John cannot join)

**4) Parcel G field work & related and 5YR including Tech Memos**

**Parcel G fieldwork update** – Paul provided an update on Phase 1 (excavation and spreading soil on RSYs of 1/3 trench units) and Phase 2 (in-situ sampling work of 2/3 of trench units). Navy has taken over 800 samples, completing laboratory analysis of 125 samples. Work was halted over holidays and recent windy weather. Navy continues to have status updates with regulatory agencies.

## **Ex. 5 Deliberative Process (DP)**

**5YR Building RG Evaluation** – Derek said there have been some back-and-forth letters between Navy/EPA management. The recent letter from EPA asked for higher-level discussions (tentative for 1/27) and additional information on scanned concrete and dust background levels (collected this week?). John clarified EPA asked for background information on all material. Derek said they are focusing on dust samples. Wayne suggested they should discuss off-line. Yolanda clarified the Navy's letters provided numbers on concrete, so it's confusing. Derek mentioned that what really matters is dust. Wayne agreed it would be good to see the information, we didn't understand before the numbers were scanned results. We agree the conversation should be focused on the dust or removable fraction. Yolanda reminded everyone why background levels are so important/substantive to the discussion.

## **Ex. 5 Deliberative Process (DP)**

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### 5) Updates on communications and meetings

SF Shipyard HOA meeting Jan 28, 2021 – Derek mentioned the Navy sent around draft slides for this meeting.

Navy is pulling together a property transfer schedule. People are really interested in the outcome of property transfer. Yolanda asked the Navy for a communication strategy of this product moving forward (how do we keep the product up-to-date and in-front of people). Gordon asked for more clarification on the Navy's conversations with the public. Derek mentioned the HOA residents are asking for the parks, stores, etc. and the artists are concerned about parking and the overall "construction" of the Parcel. Gordon asked if the "end point" is FOST or transfer, as we don't transfer the property directly after FOST. Navy asked for Gordon's thoughts. Gordon mentioned this was complicated, as the original concept of phase-by-phase transfer is a little more problematic. It's problematic because of adjacency issues and whether meaningful construction work can be done with an adjacent parcel is under investigation for radiological contaminants. Gordon pointed to a set of letters in the past. Five-Point might not be willing to take anything until everything is complete. We would also really want to start developing property earlier, too. However, how do we communicate that FOST does not equal transfer. 6 months? 9 months? Kasheica said the process might be 9-12 months. She mentioned Dr. Hunnicutt also asked about the schedule and Kasheica informed Dr. Hunnicutt that information is forthcoming. Kasheica also mentioned its important to communicate to the public the schedule is going to change (it's a living document) and needs to be updated periodically. Derek mentioned the schedule might be focused on environmental remediation work instead of property transfer as an outcome.

Gordon mentioned the next time the conversation moves to proposed transfer, there will be a lot of unpredictable public interest. Gordon mentioned the Navy's schedules over time on property transferred have widely varied over time on the outcome. The discussion moved to when the project moves closer to transfer, some members of the public will be worried. The EPA letter about "no more transfers" will be part of the discussion. Derek believes the trickiest part of the conversation is why property transfer is delayed. Gordon agreed it's not easy.

SFDPH received communications from 6 people said something like: We demand SFDPH should stop Lennar digging in Bayview/Hunters Point. Kasheica mentioned people have

been reaching out to District 10 Supervisor about digging on the hilltop. The lawyers who filed a lawsuit may have been communicating to their clients that the Supervisor could stop the work. Gordon mentioned Lennar is aware of heightened public concern on the past cleaning and grubbing work at Parcel A. He wants to ensure Lennar is aware of this. SFDPH is deciding how to handle the communications, perhaps as a complaint to Article 31.

**EPA FOIA review** – EPA is continuing to work on the two ongoing FOIAs. We released our first batches of documents to the two requestors, which are litigants to the ongoing lawsuits. EPA is discussing how to focus the litigants on the discovery process in lieu of FOIA to alleviate burden on the federal agencies.

Navy mentioned EPA is taking the brunt from Alston Bird, as the Navy provided them with a cost estimate and hasn't hear much. Navy has a FOIA for "Mark Chalpin" (probably Council for someone) on the Parcel B draft redline on the findings report. His many, many requests are focused on Tetra Tech work. Navy is still working on a FOIA for Fagone on the 49ers stadium.

Heather (Navy) plans to provide EPA with about 10 emails for review related to the Fagone FOIA.

DTSC is slowly working on a PRA request from last year.

**6) Miscellaneous Items**

**7) Action Items**